

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

In re: : Chapter 7
Tyrone W. Klump, Sr. :
and Ruthann F. Klump,
Debtors. : Bankruptcy No. 17-10030-MDC

O R D E R

AND NOW, upon consideration of the Application for Compensation and Reimbursement of Expenses (the “Application”)¹ filed by Jason M. Rapa, Esquire and Rapa Law Office, P.C. (the “Applicant”), in which the Applicant requests an award of compensation in the amount of \$2,000.00 and the reimbursement of expenses in the amount of \$0.00.

AND, the Applicant filed Certificates of Service² that indicate that the only party he served with the Application and Notice was the Chapter 13 Trustee.

AND, a review of Applicant’s Certificates of Service reveals that he failed to serve the Application and Notice on the parties listed on the Clerk’s Service List, as required by Local Bankr. Rules 2016-1(a), (d) and 9014-4(b).

AND, the third and most recent Disclosure of Compensation filed by Applicant on November 11, 2019³ (which he labeled “Disclosure of Compensation of Attorney for Debtors – Amended”) (“Amended Disclosure of Compensation”), indicates that Applicant received total compensation of \$3000.00 and that no fee is owed, is inconsistent with the Application, which seeks total compensation of \$4000.00 and states that \$2000.00 has already been paid and that \$2000.00 is owed, as follows:

(1) The Application requests an award of \$2000.00 in compensation and alleges that Debtor paid Applicant \$2000.00 prior to the filing of the petition and that \$2000.00 is due. The proposed Order attached to the Application approves an award of \$4000.00 in total compensation and states that \$2000.00

¹ Bankr. Docket No. 54.

² Bankr. Docket Nos. 54, 55.

³ Bankr. Docket No. 61.

has already been paid and that \$2000.00 is still owed. The Disclosure of Compensation attached to the Application as Exhibit A (“First Disclosure of Compensation”) is consistent with the proposed Order and states that Applicant agreed to accept \$4000.00 for legal services, that Applicant received \$2000.00 prior to the filing of the First Disclosure and that the balance owed is \$2000.00; and

(2) Applicant then filed a second Disclosure of Compensation on October 29, 2019⁴ that indicates that Applicant agreed to accept \$5000.00 for legal services, that Applicant received \$3000.00 prior to the filing of the Disclosure and that the balance owed is \$2000.00; and

(3) On November 11, 2019, Applicant filed the Amended Disclosure of Compensation that indicates that Applicant agreed to accept \$3000.00 for legal services, that Applicant received \$3000.00 prior to the filing of the Amended Disclosure and that the balance owed is \$0.00.

AND, considering Applicant’s failure to serve the Application and Notice on all parties listed on the Clerk’s Service List, as required by Local Bankr. Rules 2016-1(a), (d) and 9014-4(b), and the fact that Applicant’s Amended Disclosure of Compensation, which requests a total compensation award of \$3000.00 and states that \$3000.00 has already been paid and that \$0.00 is due, is inconsistent with the Application and the First Disclosure of Compensation, which request a total compensation award of \$4000.00 and state that \$2000.00 has already been paid and that \$2000.00 is due,

It is hereby **ORDERED** that:

1. A hearing shall be held on **February 19, 2020, at 12:30 p.m.**, in Courtroom 1, Third Floor, The Madison, 400 Washington Street, Reading Pennsylvania to address the problem with service of the Application and Notice and the discrepancies that exist between the Application and the Amended Disclosure of Compensation.

Dated: January 23, 2020

Magdelene D. Coleman

MAGDELINE D. COLEMAN
CHIEF U.S. BANKRUPTCY JUDGE

⁴ Bankr. Docket No. 57.

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